

UNITED STATES DISTRICT COURT

for the

Western District of Texas

FILED

April 15, 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

United States of America

v.

José Luis Rodriguez

BY: Adriana Quezada
DEPUTY

Case No.

EP:-25-MJ-1699-MAT*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 04/11/2025 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:*Code Section*

21 USC 952

Offense Description

knowingly and intentionally import into the United States from the Republic of Mexico a quantity of fentanyl, to wit; approximately 117 .13grams (gross weight) of fentanyl, a Schedule II Controlled Substance;

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Complaint sworn to telephonically on

April 15, 2025 at 02:00 PM and signed
electronically. **FED.R.CRIM.P. 4.1(b)(2)(A)***Complainant's signature*

Marilen Sommers

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/15/2025City and state: El Paso, Texas*Judge's signature*

Miguel A. Torres- U.S. Magistrate Judge

Printed name and title

Affidavit

On April 11, 2025, at approximately 11:04 p.m., Jose Luis RODRIGUEZ entered the United States from the Republic of Mexico through the pedestrian lanes of the Bridge of the Americas (BOTA) Port of Entry (POE), in El Paso, Texas, which is within the Western District of Texas.

Jose Luis RODRIGUEZ presented himself to the primary Customs and Border Protection Officer (CBPO) for inspection. The primary CBPO conducted his routine system queries and received a system alert for RODRIGUEZ. The CBPO referred RODRIGUEZ into the Passport Control Secondary (PCS) area for further inspection.

Inside PCS, a Canine Enforcement Officer (CEO) was requested to assist with the inspection. The CEO and their assigned Concealed Human Narcotic Detector Dog (CHNDD) conducted a sniff inspection on RODRIGUEZ. The CEO notified the CBPOs his canine alerted to the trained odor of narcotics emitting from RODRIGUEZ's buttocks.

A partial body search was conducted on RODRIGUEZ. During the partial body search, CBPOs asked RODRIGUEZ to perform squats. RODRIGUEZ would only perform half squats. CBPOs asked RODRIGUEZ to use his hands to spread his buttocks. RODRIGUEZ initially refused to comply with the CBPOs request. CBPOs repeated their request and RODRIGUEZ stated he would comply; however, he would still not completely spread his buttocks. The CBPOs noticed RODRIGUEZ was clenching his rectal cavity and had become visibly nervous.

CBPOs asked RODRIGUEZ if he would consent to a medical examination at a hospital; to which RODRIGUEZ declined.

A Homeland Security Investigation (HSI) Task Force Officer (TFO) arrived at the POE to speak with RODRIGUEZ. The TFO read RODRIGUEZ his Miranda Warnings out loud in the English language. RODRIGUEZ requested to speak to an attorney and the interview was terminated.

A body cavity search warrant for RODRIGUEZ was applied for and granted by a US Magistrate Judge. RODRIGUEZ was transported to Las Palmas Medical Center where anomalies were seen in RODRIGUEZ's rectal cavity by a CT scan. RODRIGUEZ defecated 3 black taped bundles wrapped in condoms. The contraband field tested positive for the properties of fentanyl with a total gross weight of 117.13 grams.

Because this Affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.